



REPLY TO
ATTENTION OF:

CERE-C

4 February 1994

MEMORANDUM FOR DISTRIBUTION

SUBJECT: Surplus Determinations for Base Realignment and
Closure (BRAC) Properties

1. The purpose of this memorandum is to provide interim guidance for making determinations of surplus for all BRAC properties (Enclosure 1), for holding homeless assistance workshops (Enclosure 2), and dealing with redevelopment authorities (Enclosure 3).
2. Section 2905 of the 1994 Authorization Act requires that final determinations must be made for all BRAC properties by 31 May 1994. We will use the GSA Form 1432 to formalize the final determinations. A sample form is provided with Enclosure 1.
3. Prior to completing the Determinations of Surplus, all Federal agency requests for property must be resolved. In the case of BRAC 1 and BRAC 91 installations, the Districts must provide written notification to any Federal agency which has expressed interest in obtaining property. The Federal agency must submit a firm proposal on the future use of the property to the U. S. Army Engineer District which is responsible for the real estate disposal actions. The items to be included in the proposal are set forth in the Second Step of the Interim Guidance on the Screening Process (Enclosure 1).
4. The USACE Districts will evaluate the proposals from the Federal agencies and submit evaluations and recommendations through Divisions to this office. Copies of the evaluations and recommendations should be provided to the installation and the Major Command. Final approval of Federal agency requests for BRAC property is the responsibility of the Army Secretariat.
5. The New York and Baltimore Districts will conduct all DOD and Federal agency screening for BRAC 93 installations. This instruction may apply to the Sacramento District if the status of Tooele Army Depot changes from underutilized to excess to Army requirements. Screening must begin as soon as possible to assure the Federal agencies have adequate time to justify requirements for Army BRAC property. Extensions of the 31 May 1994 suspense date can only be made in consultation with the redevelopment authority. Any

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questions regarding which Federal agencies have expressed interest in BRAC 1 and BRAC 91 properties should be addressed to this office. Most of this information is already available in the District offices.

6. The proposals from the agencies and the evaluations and recommendations by the Districts must reach this office by 1 May 94.

7. A GSA Form 1432, Determination of Surplus, for all properties not required by Federal agencies will be part of this submittal. Recommend that Districts initiate work with the installations on compiling the required information as early as possible.

8. The interim guidance for homeless assistance workshops will be utilized immediately. This guidance may change as negotiations with the plaintiffs continues, but the guidance reflects the consensus of an interagency working group.

9. The interim guidance on redevelopment authorities is meant to facilitate the disposal process in those cases where a redevelopment authority does not exist and more than likely will not exist (Gaithersburg, MD, for example).

10. We must get on with the disposal of Army BRAC property. BRAC 1 properties are of major concern since our authority to dispose expires in less than 2 years. Questions on the enclosed guidance should be directed to the project officers in this office.

FOR THE DIRECTOR:

Encls


GARY B. PATERSON
Chief, Base Realignment and
Closure Office
Directorate of Real Estate

CERE-C

4 February 1994

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Closure (BRAC) Properties

DISTRIBUTION

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ATTN: ANRM-MR-B
HQ, DEPT. OF THE ARMY AND AIR FORCE
NATIONAL GUARD BUREAU, ATTN: NGB-ARI

INTERIM GUIDANCE

December 30, 1993

ARMY BASE CLOSURE SCREENING PROCESS

The screening process for Army Base Closure properties was modified with the enactment of the Fiscal Year 1994 Defense Authorization Act. Title XXIX of the Act provides additional authority for Base Closure properties. This additional authority is known as Base Closure Community Assistance and it implements the President's Five Part Community Revitalization Program. The additional authority requires final determinations regarding whether another department or agency of the Federal government has a need for any portion of an Army installation. The final determinations must be made by May 31, 1994 for all BRAC 1, BRAC 91, and BRAC 93 installations. The regulations implementing the additional authority are being drafted, but the time constraints imposed by the authority require this interim guidance. Therefore, the Army will proceed with screening all Army Base Closure properties in the following manner.

THE FIRST STEP is to screen all Army installations with other military departments, Department of Defense agencies and instrumentalities, and the Coast Guard. At the same time, the installations will be screened with other Federal departments and agencies to determine any use for the property. All parties must respond within thirty (30) days with requirements for future use. Screening notices will be sent to all Federal departments and agencies in Washington, D. C. and to the regional and local offices of department and agencies in the vicinity of the closing installation.

THE SECOND STEP requires the requesting department or agency to follow up this initial interest with a firm proposal on the future use of the property. The firm proposal shall include the following:

a. A statement from the head of the requesting department or agency that the use of the property does not establish a new program which has never been reflected in any previous budget submission or Congressional action.

b. A statement that the requesting department or agency has reviewed its holdings and no property exists for the satisfaction of the requirement. This review must include all property under the department or agency's accountability including permits to other Federal agencies and outleases to other organizations.

Encl 1

c. The requesting department or agency must clearly demonstrate to the satisfaction of the Secretary of the Army the acquisition of an Army Base Closure installation will prove more economical over a sustained period of time than acquisition of a new facility specifically planned for the property.

d. The requesting department or agency must agree to reimburse the Army for the full fair market value of the property to be transferred and the funds for reimbursement must be transferred to the Army within two years of the initial request for the property.

e. The requesting department or agency must agree to accept the costs of care and custody of the installation on the date the Army completes closure of the installation. The closure date will be the same date the Army transfers accountability to the gaining department or agency.

This SECOND STEP must be completed by May 1, 1994 for all BRAC 1, BRAC 91, and BRAC 93 installations. Exceptions to this deadline will only be considered after consultation with the redevelopment authority recognized by the Secretary of Defense as the entity responsible for developing the redevelopment plan for the installation.

THE THIRD STEP in the process is to offer the property not claimed under Steps One and Two for homeless assistance purposes. On May 31, 1994, the Army will submit to the Department of Housing and Urban Development (HUD) information on any building or property not retained for Federal needs. The information submitted to HUD shall be in the form of the Title V Property Survey Federal Property Information Checklist currently used to report all surplus, excess, underutilized, or unutilized property. Property not claimed for homeless assistance purposes will be available for community assistance purposes as outlined below.

THE FOURTH STEP is to advise the local redevelopment authority of the availability of the remaining portion(s) of the installation. The redevelopment authority will have one year in which to express interest in writing for use of any buildings and property not claimed in STEPS ONE, TWO, or THREE. This one year time limit begins:

a. On the first day after the 60 day publication period in the Federal Register of properties determined to be suitable and available for homeless assistance; or

b. On the first day after the 90 day period allowed for submission of applications to the Department of Health and Human Services (HHS) for homeless assistance purposes if no applications are submitted; or

c. On the first day after all applications are rejected by HHS.

If the redevelopment authority does not express interest in the use of any building or property during the time periods above, the building or property will again be made available for homeless assistance purposes in the normal way of doing business.

THE FIFTH STEP is to screen any remaining surplus property with state and local governments for public purposes. This screening will be carried out in accordance with the Federal Property Management Regulations (FPMR). Twenty (20) calendar days are prescribed for a public agency to advise of its need for the property. Also, notification of the surplus determination is sent to the State single point of contact advising no final disposition will be taken for sixty (60) days to allow the single point of contact an opportunity to provide any desired comments. It is during this step the Army will discover any desire of the State or local government to acquire any property through a negotiated sale. If there is no desire to acquire property through a negotiated sale, the Army moves on to a disposal by competitive means.

THE SIXTH STEP is to offer any remaining property for sale to the general public. The Army's policy is to encourage competition in the sale of property either through sealed bids or auction.

(Excess Real Property and Related Personal Property)

J. HOLDING AGENCY NUMBER INST. NO. 18176				K. TYPE OF APPROVAL REQUIRED <input checked="" type="checkbox"/> A. REGIONAL ONLY <input type="checkbox"/> B. CENTRAL OFFICE & REGION	
5. DATE REPORT OF EXCESS ACCEPTED 1 JAN 1992					
6. PROPERTY IDENTIFICATION BUILDING 1 FORT BENJAMIN HARRISON, IN				7. TYPE OF DETERMINATION (Check one) <input checked="" type="checkbox"/> A. ORIGINAL <input type="checkbox"/> B. CORRECTION (If B, C, or D are checked, explain details in Block 11.) <input type="checkbox"/> C. RECISSION <input type="checkbox"/> D. OTHER	
8. PROPERTY DETERMINED SURPLUS A. BUILDINGS, STRUCTURES, UTILITIES, AND MISC. FACILITIES				9. PROTECTION AND MAINTENANCE OF PROPERTY	
A. BUILDINGS, STRUCTURES, UTILITIES, AND MISC. FACILITIES				A. ANNUAL COST \$1,216	
B. DATE GSA LIABLE FOR P&M COST N/A					
10. FINDINGS (Check appropriate statements & explain in Block 11.)					
<input checked="" type="checkbox"/> A. THE EXCESS PROPERTY HAS BEEN SCREENED AGAINST THE KNOWN DEFENSE AND CIVILIAN REQUIREMENTS OF THE FEDERAL GOVERNMENT. IT IS NOT REQUIRED FOR THE NEEDS AND RESPONSIBILITIES OF ALL FEDERAL AGENCIES AND IS DETERMINED TO BE SURPLUS PROPERTY.					
<input type="checkbox"/> B. THE REQUIREMENT FOR SCREENING OF THE EXCESS PROPERTY HAS BEEN WAIVED AND IT IS DETERMINED TO BE SURPLUS PROPERTY.					
<input checked="" type="checkbox"/> C. THE PROPERTY IS SUBJECT TO DISPOSAL BY THE HOLDING AGENCY					
<input type="checkbox"/> D. THE PROPERTY IS SUBJECT TO DISPOSAL BY THE GENERAL SERVICES ADMINISTRATION.					
11. REMARKS (Use reverse if more space is required)					

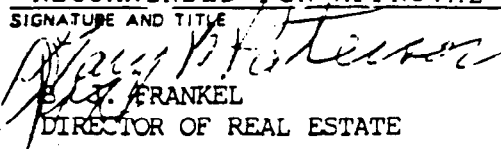
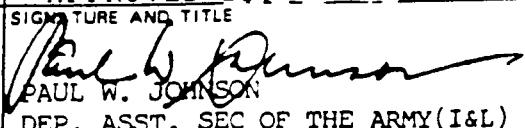
USE	NO. BUILDINGS	AREA (Sq Ft./m ²)	ACQUISITION COST
(1) OFFICE	1	1,584,531	
(2) STORAGE			
(3) OTHER (Specify) STEAM PLANT	1	19,611	
(4) TOTAL SPACE		1,604,142	
(5) TOTAL ACQUISITION COST			\$ 46,106,456

B LAND			
GOVT INTEREST	ANNUAL RENT	AREA (Acres/Hectares)	ACQUISITION COST
(1) FEE		160 ACRES	\$ 16,173
(2) LEASED	S		
(3) OTHER (Specify)			\$
(4) TOTAL LAND	S		\$ 16,173
C. RELATED PERSONAL PROPERTY (Acq. Cost)			\$
D. GRAND TOTAL ACQUISITION COST OF PROPERTY DETERMINED SURPLUS (Lines A(5), B(4) and C)			\$ 46,122,629

Pursuant to 40 U.S.C. 484(e)(3)(H), the property will become surplus on or about September 30, 1994. The property is now available for screening with public agencies.

10.A. This property was screened against the needs of the Department of Defense from November 4, 1991 to December 4, 1991, with negative results. The property was then screened against the needs of Federal agencies from June 2, 1992 to July 2, 1992, with negative results. The property has been made available under the McKinney Act to provide assistance to the homeless. The Department of Housing and Urban Development initially announced availability of the property in the Federal Register on March 27, 1992. No Homeless providers have expressed interest or applied for this property.

10.C. The property is subject to disposal by the Department of the Army in accordance with Public Law 101-510, 104 Stat. 2905 (1990), and subsequent Delegation of Authority from the GSA.

RECOMMENDED FOR APPROVAL BY:		APPROVED BY:	
SIGNATURE AND TITLE  E. FRANKEL DIRECTOR OF REAL ESTATE	DATE 12/12/92	SIGNATURE AND TITLE  PAUL W. JOHNSON DEP. ASST. SEC OF THE ARMY(I&L)	DATE 14 DEC 92

SAMPLE